

Congress of the United States

House of Representatives

COMMITTEE ON OVERSIGHT AND REFORM

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June 3, 2019

The Honorable Wilbur L. Ross, Jr.
Secretary
U.S. Department of Commerce
1401 Constitution Avenue, N.W.
Washington, D.C. 20230

Dear Mr. Secretary:

This letter responds to the Department's letter earlier today regarding the Committee's request for transcribed interviews with Earl Comstock, Peter Davidson, and James Uthmeier in connection with the Committee's investigation into the addition of a citizenship question to the 2020 Census.

I appreciate the Department's willingness to change course and make Mr. Comstock available for a transcribed interview on June 11, 2019, and make Mr. Davidson available for a transcribed interview on June 18, 2019.

In keeping with the Committee's longstanding practice under both Democratic and Republican Chairmen, the Committee will not agree to restrictions or delays imposed by the Department on the Committee's use of transcripts or other information from these interviews. Please note, however, that the witnesses and accompanying counsel will be given an opportunity to review the transcripts of these interviews.

If the Department commits to moving forward with these interviews, the Committee will not issue subpoenas for Mr. Comstock and Mr. Davidson to testify at a public hearing on June 11, 2019.

Your letter noted that the Department cannot commit to making Mr. Uthmeier available for a transcribed interview at this time because he is no longer a Department employee. The Committee understands the challenges faced by the Department in this regard. However, Mr. Uthmeier completely disregarded the Committee's letter on May 7, 2019, requesting a voluntary transcribed interview. He also ignored multiple follow-up communications from Committee staff, most recently on May 31, 2019.

As a result, the Committee will move forward with scheduling a vote to issue a subpoena to Mr. Uthmeier to testify at a public hearing on June 11, 2019. In the meantime, if Mr. Uthmeier or his representative contacts the Committee and agrees that Mr. Uthmeier will appear

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at a transcribed interview on or before June 7, the Committee will excuse him from testifying at the public hearing.

Please inform Committee staff by 6:00 p.m. today whether you will commit to making the witnesses available for transcribed interviews as described above. If you are not able to do so, the Committee will be forced to move forward with a subpoena vote this Wednesday for all three witnesses to appear at the hearing on June 11, and notice for this vote will be circulated to Committee Members this evening.

Sincerely,



Elijah E. Cummings
Chairman

cc: The Honorable Jim Jordan, Ranking Member